

308.
Wine, &c. (Ireland) Bill.



ARRANGEMENT OF CLAUSES.

Commencement of Act; Sect. 1.

Hours for opening and closing Houses for Sale of Spirits, &c., by
Retail; 2.

Repeal of certain Acts; 3.

Penalty for unlawful Sale or Tippling; 4.

Constables enabled to enter at all Times; 5.

Acts repealed as to Certificates of Householders; 6.

Acts repealed as to Appointment of Overseers of Public Houses; 7.

Penalty for obtaining forged or false Certificates; 8.



(Ireland.)

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B I L L

TO

Amend the Laws relating to the Sale of Wine,
Spirits, Beer, and Cider, by Retail, in Ireland.

WHEREAS it is expedient to amend the Laws relating to the Sale of Wine, Spirits, Beer, and Cider, by Retail, in Ireland: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows; that is to say,—

I. This Act shall come into operation on the *First Day of October* One thousand eight hundred and fifty-eight.

Preamble.

Commence-
ment of Act.

II. No Victualler or other Person selling or licensed to sell Beer, or Cider, Wine or Spirits, by Retail, within the Police District of Dublin Metropolis, to be drunk or consumed on or off the Premises, shall have or keep his House or other Place of Sale (not being a Booth or Tent in any lawful or accustomed Fair or at any public Races) open for the Sale of Spirits, Wine, or Beer, nor shall sell or retail Spirits, Wine, or Beer, nor shall suffer any Spirits, Wine, or Beer to be drunk or consumed in or at or adjacent to such House or other Place of Sale, at any Time between the Hours of Twelve o'Clock in the Night and Six o'Clock in the Morning, or at any Time before

Hours for
opening and
closing
Hours for
Sale of Beer,
&c.
3 & 4 W. 4.
c. 68. s. 14.
18 & 19 Vict.
c. 118. s. 1.
6 & 7 W. 4.
c. 38. s. 4.

[Bill 215.]

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Two

Two o'Clock or after Eleven o'Clock in the Afternoon, of any Sunday, Christmas Day, or Good Friday, or any Day appointed for a Public Fast or Thanksgiving, except as Refreshment to a bona fide Traveller, or a Lodger therein.

Repeal of
3 & 4 W. 4.
c. 68. s. 15.
and of
6 & 7 W. 4.
c. 38. s. 6.
and s. 9.

III. The Provisions of the Act passed in the Session of Parliament holden in the Third and Fourth Years of the Reign of King William the Fourth, Chapter Sixty-eight and Section Fifteen, and of the Act passed in the Session of Parliament holden in the Sixth and Seventh Years of the said Reign, Chapter Thirty-eight and Section Six, are repealed so far as they relate or apply to the Police District of Dublin Metropolis, but not further or otherwise.

Penalty for
unlawful
Sale or
Tippling.
5 Geo. 4.
c. 102. s. 19.

IV. Any Victualler or other Person licensed to sell Beer, Cider, Spirits, or Wine within the Police District of Dublin Metropolis, in whose Dwelling House or other Place of Sale any Person shall be found to have been recently drinking, tippling, or gaming therein, at any Hour or Time prohibited by Law, shall upon Conviction thereof in a summary Way before a Justice of the said District be liable to a Penalty of *Forty Shillings* for the First Offence, and shall be liable to a Penalty of *Five Pounds* for the Second Offence, and to a Penalty of *Twenty Pounds* for the Third Offence, and shall on Conviction for such Third Offence forfeit his Licence; and every Person found within such House or Place of Sale at any Time prohibited by Law, and not being proved to be an Inmate or Lodger in such House, shall be deemed to be there for the Purpose of drinking or tippling, unless satisfactory Evidence to the contrary thereof shall be given before such Justice.

Constables
enabled to
enter at all
Times.
18 & 19 Vict.
c. 118. s. 4.

V. It shall be lawful for any Constable of Police at any Time to enter into any House or Place of public Resort within the Police District of Dublin Metropolis for the Sale of Beer, Wine, Spirits, or other fermented Liquor; and every Person who shall refuse to admit or shall not admit such Constable into such House or Place shall be liable to a Penalty not exceeding *Five Pounds* for every such Offence, or, at the Discretion of the Justice before whom the Conviction shall be had, to be imprisoned for any Term not exceeding *Three Months*.

Acts re-
pealed as to
Certificates
of House-
holders.
17 & 18 Vict.
c. 89. s. 11.

VI. The Provisions of the said Act of the Third and Fourth Years of the Reign of King William the Fourth; Chapter Sixty-eight, so far as they require that the proper Officer of Excise in Ireland shall not grant any Licence for the Sale of Beer, Cider, or Spirits, by Retail, to Persons licensed in the Year preceding, unless on the Production of a Certificate signed by Six Householdors of the Parish as to the good Character of the Applicant, and the peaceable and orderly Manner

Manner in which the House of the Applicant has been conducted in the past Year, are repealed as regards the said Police District of Dublin Metropolis.

- VII. The Provisions of the said Act of the Third and Fourth
 5 Years of the Reign of King William the Fourth, Chapter Sixty-eight, and of the Act of the Sixth and Seventh Years of the said Reign, Chapter Thirty-eight, so far as they provide for the Appointment of Overseers of Public Houses by Vestry or by Justices within each Parish, and constitute the said Overseers and Constables or Peace
 10 Officers for the Purposes of the said Acts, are hereby repealed, so far as regards the Police District of Dublin Metropolis.

Act repealed as to Appointment of Overseers of Public Houses.

- VIII. Every Person who shall, for the Purpose of obtaining for himself or enabling any other Person to obtain a Licence to retail Spirits, Wine, Beer, or Cider; forge or counterfeit any Certificate, or
 15 make use of any Certificate knowing the same to be forged or counterfeit, or the Matters certified therein to be false, shall forfeit the Sum of *Fifty Pounds*; and every Licence for the Retail of Spirits, Beer, or Cider obtained by any Person on any such forged, false, or counterfeit Certificate shall, on the Conviction of such Person, be void to all
 20 Intents and Purposes, and shall be so adjudged; and every Person who shall be convicted of any of the said Offences shall be disqualified from obtaining any Licence to retail Spirits, Beer, or Cider, either to be drunk on the Premises or elsewhere.

Penalty for obtaining forged or false Certificates. 3 & 4 Vict. c. 61. s. 6.

Wine, &c. (Ireland)
Bill.

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B I L L

To amend the Laws relating to the Sale
of Wine, Spirits, Beer, and Cider, by
Retail, in Ireland.

*(Prepared and brought in by
Mr. Sturges and Lord Ross.)*

Ordered, by The House of Commons, to be Printed,
12 July 1828.

[502 331]

Under 1 on.